

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE - NE/S Poplar Road, * DEPUTY ZONING COMMISSIONER
 75' and 120' NW of the c/l of *
 Poplar Road * OF BALTIMORE COUNTY
 (2304 & 2306 Poplar Road) *
 15th Election District * Case Nos. 97-221-SPH and
 5th Councilmanic District * 97-222-A
 Leonard V. Buber, et ux *
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as companion cases for the adjoining properties known as 2304 and 2306 Poplar Road, located in the vicinity of its intersection with Silver Lane in the Cedar Beach community. The properties, also known as Lots 101 and 102 of Cedar Beach, are waterfront lots which front on Sue Creek. The Petitions were filed by the owners of the properties, Leonard V. and Patricia Y. Buber, by J. Scott Dallas, Registered Property Line Surveyor, and the Contract Purchaser of Lot 102, Eldorado Enterprises. In Case No. 97-221-SPH, the Petitioners seek approval of a lot line adjustment between Lots 101 and 102 as a non-density transfer to create two lots of 11,600 sq.ft. and 9,600 sq.ft., respectively, and to establish that Lots 101 and 102, as separate, building lots, will not affect overall density. In Case No. 97-222-A, the Petitioners seek relief from Section 1A04.3.B1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot size of 9,600 sq.ft. in lieu of the minimum required 1 acre; from Section 1A04.3.B3 to permit a minimum side yard setback of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline; and, to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R. The subject properties and relief sought are more particularly described on the respective site plans submit-

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

ted, which were accepted and marked into evidence as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were J. Scott Dallas, Property Line Surveyor, and Jim Gay, a Real Estate Investor. The property owners, Mr. & Mrs. Buber, did not attend the hearing. Appearing as a Protestant in the matter was Virginia Brinkman, adjoining property owner.

Testimony and evidence offered revealed that the two properties in question are located in the community of Cedar Beach which was established many years ago with 50-foot wide lots. Lot 101, also known as 2304 Poplar Road, is improved with a single family dwelling, which has been the Petitioners' residence for many years. Lot 102 is presently unimproved but is proposed to be developed with a single family dwelling, pursuant to the Petitions for Special Hearing and Variance filed in the above-captioned matters. In Case No. 97-221-SPH, the Petitioners request special hearing relief to approve a lot line adjustment between Lots 101 and 102 to create two buildable lots of 11,600 sq.ft. and 9,600 sq.ft., respectively. In addition, the Petitioners seek a determination that Lots 101 and 102, as two separate building lots, will not affect the overall density of the area. However, a review of the site plan shows that the existing dwelling actually straddles the lot line between Lots 101 and 102. Thus, the special hearing relief requested is necessary in order to proceed.

As to the property known as 2306 Poplar Road, the Petitioners are proceeding through the minor subdivision process to create a separate building lot which they propose to develop with a single family dwelling as shown on Petitioner's Exhibit 1. The lot lines for this property have been altered in an effort to accommodate the proposed dwelling. Due to

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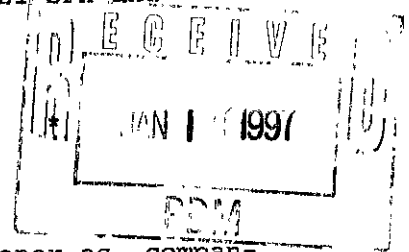
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Gwen

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75' and 120' NW of the c/l of *
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(2304 & 2306 Poplar Road) * Case Nos. 97-221-SPH and
15th Election District * 97-222-A
5th Councilmanic District *
Leonard V. Buber, et ux *
Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW



This matter came before the Deputy Zoning Commissioner as companion cases for the adjoining properties known as 2304 and 2306 Poplar Road, located in the vicinity of its intersection with Silver Lane in the Cedar Beach community. The properties, also known as Lots 101 and 102 of Cedar Beach, are waterfront lots which front on Sue Creek. The Petitions were filed by the owners of the properties, Leonard V. and Patricia Y. Buber, by J. Scott Dallas, Registered Property Line Surveyor, and the Contract Purchaser of Lot 102, Eldorado Enterprises. In Case No. 97-221-SPH, the Petitioners seek approval of a lot line adjustment between Lots 101 and 102 as a non-density transfer to create two lots of 11,600 sq.ft. and 9,600 sq.ft., respectively, and to establish that Lots 101 and 102, as separate, building lots, will not affect overall density. In Case No. 97-222-A, the Petitioners seek relief from Section 1A04.3.B1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot size of 9,600 sq.ft. in lieu of the minimum required 1 acre; from Section 1A04.3.B3 to permit a minimum side yard setback of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline; and, to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R. The subject properties and relief sought are more particularly described on the respective site plans submit-

the narrowness of the lot and its location in an R.C.5 zone, the requested variance relief sought in Case No. 97-222-A is necessary in order to proceed with development as proposed.

As noted above, Ms. Virginia Brinkman, appeared and testified in opposition to the variance request. Ms. Brinkman has resided at 2300 Poplar Road for the past 16 years and has made substantial renovations to her property over that time. Ms. Brinkman gave a historical account of the drainage and erosion problems which have existed for many years at the subject location and on her own property. Ms. Brinkman is vehemently opposed to the construction of a dwelling on the subject property, given the water runoff and erosion problems that currently exist in this community. She is therefore opposed to the granting of the relief requested.


After considering all of the testimony and evidence offered both in support of and in opposition to the relief requested in both cases, I find that the Petitioners have failed to satisfy the burdens imposed upon them in order to justify a granting of the special hearing and variance relief. It is clear that the construction of a dwelling on Lot 102 will result in serious adverse consequences to the surrounding properties in this community. Furthermore, the Petitioners sought relief to alter lot lines and requested numerous variances in order to squeeze an additional dwelling on this property. It is clear the subject property is not an appropriate candidate for development, and thus, the relief requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance relief should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of January, 1997 that the Petition for Special Hearing in Case No. 97-221-SPH to approve a lot line adjustment between Lots 101 and 102 of Cedar Beach, as a non-density transfer to create two lots of 11,600 sq.ft. and 9,600 sq.ft., respectively, in accordance with Petitioner's Exhibit 1, and to establish that Lots 101 and 102, as separate, buildable lots, will not affect density in the overall area, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance in Case No. 97-222-A seeking relief from Section 1A04.3.B1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot size of 9,600 sq.ft. in lieu of the minimum required 1 acre; from Section 1A04.3.B3 to permit a minimum side yard setback of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline; and, to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 2, 1997

Mr. & Mrs. Leonard V. Buber
2304 Poplar Road
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NE/S Poplar Road, 75' and 120' NW of the c/l of Poplar Road
(2304 & 2306 Poplar Road)
15th Election District - 5th Councilmanic District
Leonard V. Buber, et ux - Petitioners
Cases Nos. 97-221-SPH and 97-222-A

Dear Mr. & Mrs. Buber:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. J. Scott Dallas
P.O. Box 26, Baldwin, Md. 21013

Eldorado Enterprises
7200 North Point Road, Baltimore, Md. 21219

Ms. Virginia Brinkman
2300 Poplar Road, Baltimore, Md. 21221

People's Counsel; Case File

CRITICAL
AREA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 2306 Poplar Road

which is presently zoned R.C. 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3-B.1. to allow a lot size

of 9,600 Square Feet \pm in lieu of minimum 1 acre and from Section 1A04.3-B.3. to allow a minimum side yard of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline. And to approve an undersized lot pursuant to Sec. 304.2

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The subject site Lot 102 was originally a 50 foot lot for a single

family dwelling as are many neighborhood vicinity lots. The requested lot configuration will accomodate the adjacent # 2304 house location over the existing property line. The proposed dwelling location will not impact any adjacent water views. Public water and sewer services are in place for the subdivision.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Leonard Voil Buber

(Type or Print Name)

Signature

Patricia Yvonne Buber

(Type or Print Name)

Signature

2304 Poplar Road

(410) 391-0215

Address

Phone No.

Baltimore

MD

21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

J. Scott Dallas

J.S. Dallas, Inc.

Name P.O. Box 26

Baldwin, MD 21013

(410) 817-4600

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JRF

DATE 11/18/96

222

Printed with Soybean Ink
on Recycled Paper

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-222-A

(Item 222)

2306 Poplar Road
NES of Poplar Road, at a distance of 55' of the NW side of Poplar Road
15th Election District
5th Councilmatic

Legal Owner(s):

Leonard Voll Butler and Patricia Vycne Butler

Variance: to allow a lot size of 9,600 square feet, more or less, in lieu of minimum 1 acre and to allow a minimum side yard of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline, and to approve an undersized lot pursuant to Section 304.2.

Hearing: Wednesday, December 18, 1996 at 10:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations
Please call 887-3333.

(2) For information concerning the file and/or hearing, Please call 887-3397.

11/22/96 Nov. 28

C102883

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Nov. 29, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 28, 1996.

THE JEFFERSONIAN,

A. H. Harrison

LEGAL AD. - TOWSON

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 221

Petitioner: Leonard & Patricia Buber

Location: # 2306 Poplar Road.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Eldorado Enterprises

ADDRESS: 7200 North Point Road
Balt. Md. 21219

PHONE NUMBER: (410) 477-3800

AJ:ggs

(Revised 04/99/93)



222

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST:

_____ 1A04.3-B.1. to allow a lot size of 9,600 Square Feet \pm in lieu of minimum 1 acre and from Section 1A04.3-B.3. to allow a minimum side yard of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline. And to approve an undersized lot pursuant to Sec. 304.2

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY

November 28, 1996 Issue - Jeffersonian

Please forward billing to:

Eldorado Enterprises
7200 North Point Blvd.
Baltimore, MD 21219
477-3800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-222-A (Item 222)

2306 Poplar Road

NES of Poplar Road, at a distance of 55' of the NW side of Poplar Road

15th Election District - 5th Councilmanic

Legal Owner(s): Leonard Voil Buber and Patricia Yvone Buber

Variance to allow a lot size of 9,600 square feet, more or less, in lieu of minium 1 acre and to allow a minimum side yard of 10 feet in lieu of the required 50 feet and to allow a front setback of 40 feet in lieu of the required 75 feet from the street centerline, and to approve an undersized lot pursuant to Section 304.2.

HEARING: WEDNESDAY, DECEMBER 18, 1996 at 10:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 22, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
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HEARING: WEDNESDAY, DECEMBER 18, 1996 at 10:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Leonard and Patricia Buber
J. Scott Dallas

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 3, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



NOV 23 1996



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 13, 1996

Mr. and Mrs. Leonard Voil Buber
2304 Poplar Road
Baltimore, MD 21221

RE: Item No.: 222
Case No.: 97-222-A
Petitioner: Leonard Buber, et ux

Dear Mr. and Mrs. Buber:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a printed name.

W. Carl Richards, Jr.
Zoning Supervisor

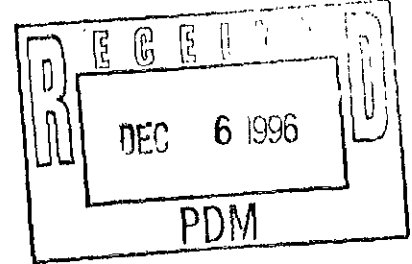
WCR/re
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410) 887-4880

DATE: 12/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 02, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 185, 220, 221, 222, 223, 226,
227 AND 231.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: December 5, 1996

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for December 9, 1996
 Item Nos. 185, 219, 220, 221, 222,
 223, 225, 226, 227, 228, 229, 230,
 & 231

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12-13-96
Item No. 222 (JRF)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

ENCLOSURE

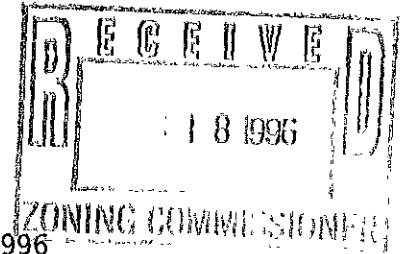
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

December 16, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #222 - Buber Property
2306 Poplar Road
Zoning Advisory Committee Meeting of December 2, 1996



The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:TI:sp

BUBER/DEPRM/TXTSBP

100-100-100

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

B _____
Permit Number

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Jonathan Scott Dallas P.O. Box 26 Baldwin, MD 21013 (410) 817-4600
Print Name of Applicant Address Telephone Number

☐ Lot Address # 2306 Poplar Road Election District 15 Council District 5 Square Feet 9,600 ±

Lot Location N E S W (side) / corner of Poplar Road . 45 feet from N W corner of Poplar Road
(street) (street)

Land Owner Leonard Buber Tax Account Number 1513201120

Address 2304 Poplar Road Telephone Number C/O J.S. Dallas, Inc.
Baltimore, MD 21221 (410) 817-4600

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 106 C.O.B.) (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(please label site clearly)		
4. Building Elevation Drawings (will conform with neighborhood)	<input type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid Codes 030 & 080 (\$85)
Accepted by <u>J.P.T.</u> ZADM
Date <u>11/18/96</u> <u># 2221</u>

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Zoning

Date: _____

RE: PETITION FOR VARIANCE
2306 Poplar Road, NES of Poplar
Road, at a distance of 55' of the NW
side of Poplar Road, 15th Election
District, 5th Councilmanic

Leonard and Patricia Buber
Petitioners

* * * * *

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-222-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

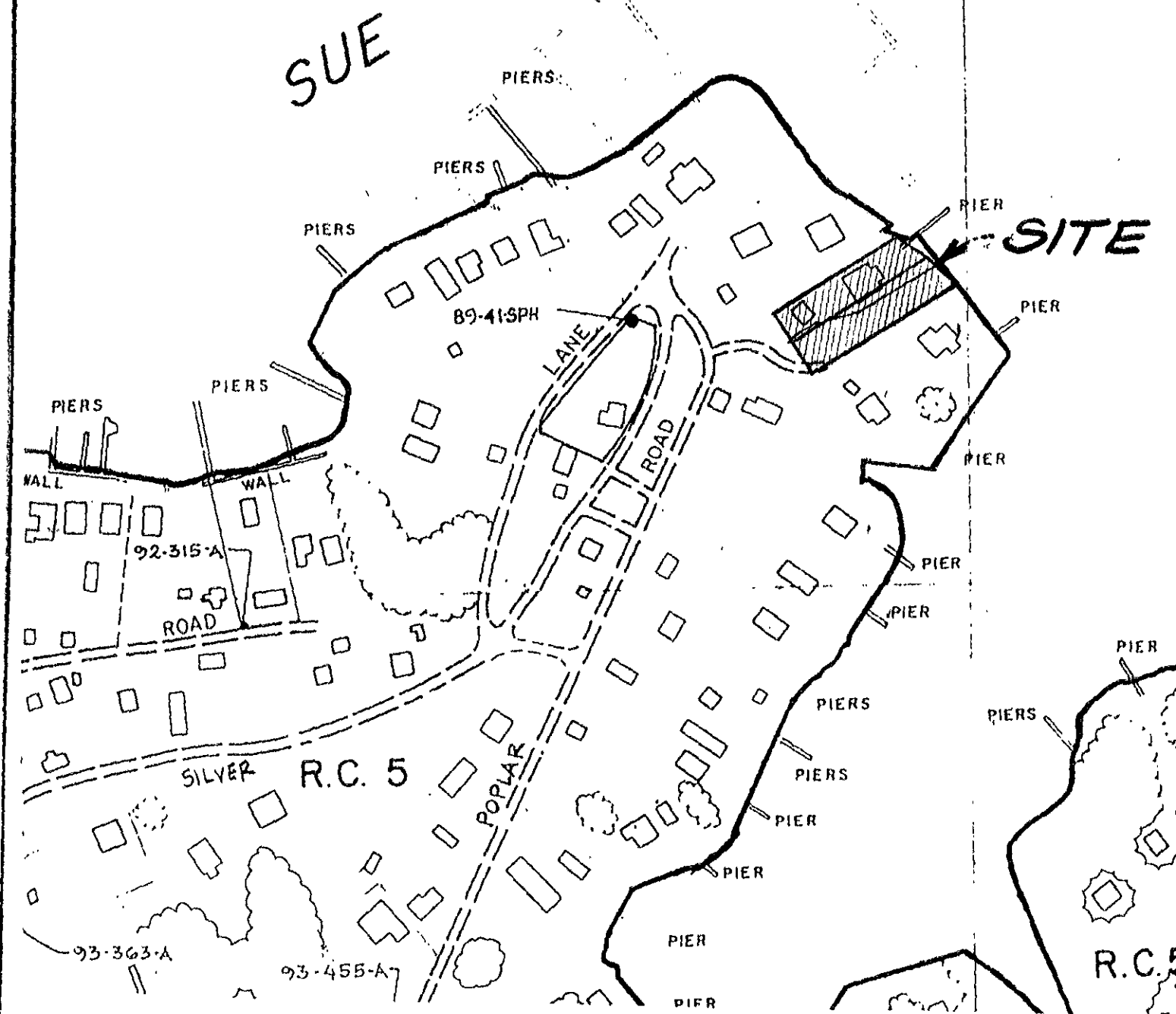
I HEREBY CERTIFY that on this 16th day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, J.S. Dallas, Inc., P.O. Box 26, Baldwin, MD 21013, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

CRE



LOCATION / ZONING MAP
PORTION OF B.C.O.P.Z. SE 2-J
1" = 200'

BLIBER
#2306 POPLAR RD.

#222

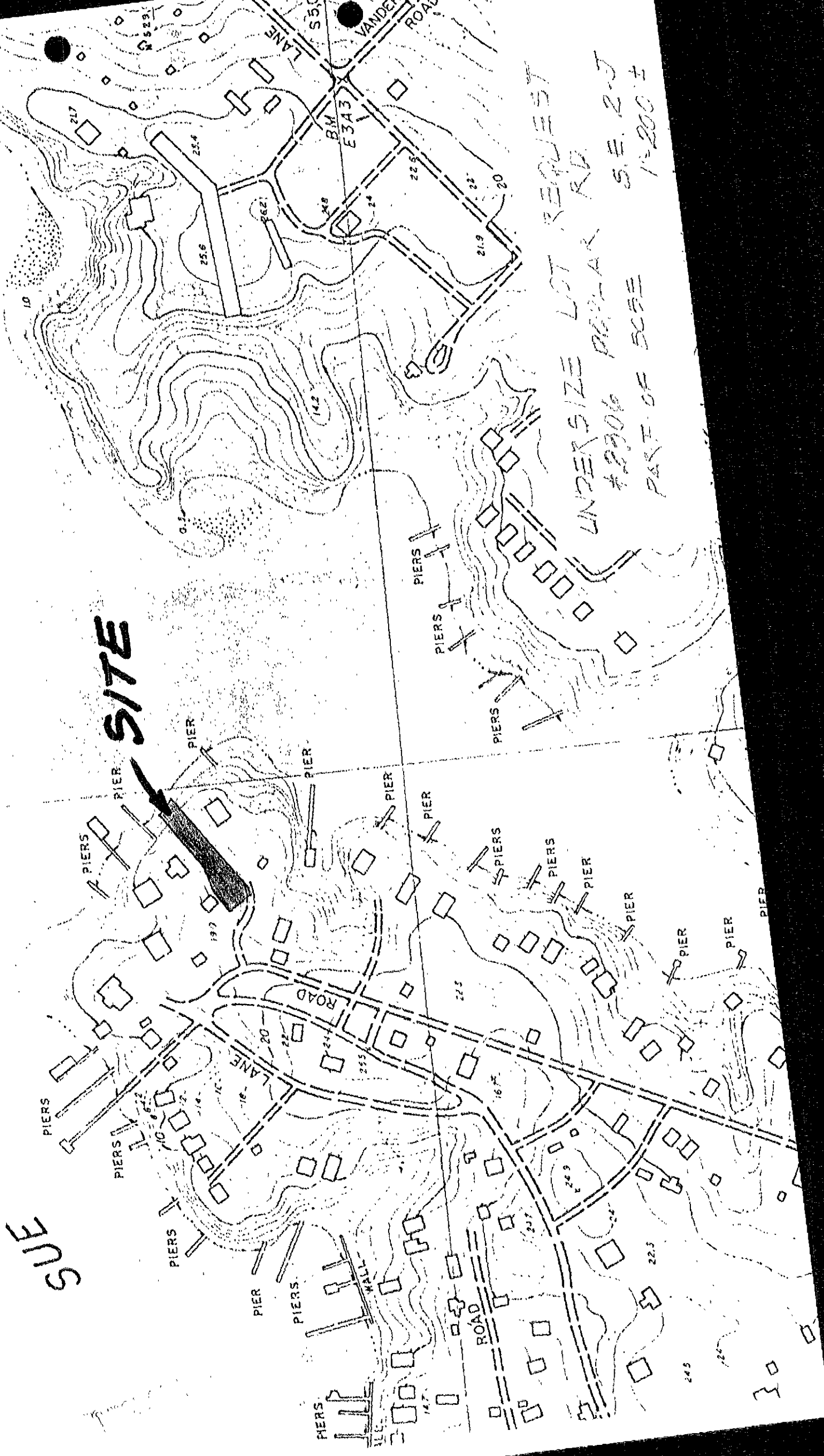
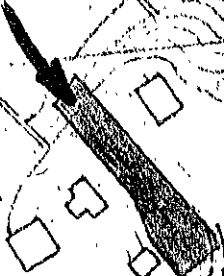
1:50,000

E 58,500

CREEK

SUE

SITE



UNDER SIZE LOT REQUEST
#2906 PCH-AK RD
S.E. 2-J
1/200 ±
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ted, which were accepted and marked into evidence as Petitioner's Exhibits 1.

Appearing at the hearing on behalf of the Petitions were J. Scott Dallas, Property Line Surveyor, and Jim Gay, a Real Estate Investor. The property owners, Mr. & Mrs. Buber, did not attend the hearing. Appearing as a Protestant in the matter was Virginia Brinkman, adjoining property owner.

Testimony and evidence offered revealed that the two properties in question are located in the community of Cedar Beach which was established many years ago with 50-foot wide lots. Lot 101, also known as 2304 Poplar Road, is improved with a single family dwelling, which has been the Petitioners' residence for many years. Lot 102 is presently unimproved but is proposed to be developed with a single family dwelling, pursuant to the Petitions for Special Hearing and Variance filed in the above-captioned matters. In Case No. 97-221-SPH, the Petitioners request special hearing relief to approve a lot line adjustment between Lots 101 and 102 to create two buildable lots of 11,600 sq.ft. and 9,600 sq.ft., respectively. In addition, the Petitioners seek a determination that Lots 101 and 102, as two separate building lots, will not affect the overall density of the area. However, a review of the site plan shows that the existing dwelling actually straddles the lot line between Lots 101 and 102. Thus, the special hearing relief requested is necessary in order to proceed.

As to the property known as 2306 Poplar Road, the Petitioners are proceeding through the minor subdivision process to create a separate building lot which they propose to develop with a single family dwelling as shown on Petitioner's Exhibit 1. The lot lines for this property have been altered in an effort to accommodate the proposed dwelling. Due to

